

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

PAUL GOINS,)	CASE NO. 1:10CV00924
)	
Plaintiff,)	
)	JUDGE BENITA Y. PEARSON
v.)	
)	
MICHAEL J. ASTRUE, COMMISSIONER)	
OF SOCIAL SECURITY,)	
)	<u>MEMORANDUM OF OPINION AND</u>
Defendant.)	<u>ORDER</u>

The Social Security Administration denied Plaintiff Paul Goins' application for Disability Insurance Benefits in the above-captioned case. That decision became the final determination of the Commissioner of Social Security when the Appeals Council denied the request to review the ALJ's decision. The claimant sought judicial review of the Commissioner's decision, and the Court referred the case to Magistrate Judge George J. Limbert for preparation of a Report and Recommendation pursuant to [28 U.S.C. § 636](#) and [Local Rules 72.2\(b\)\(1\)](#). The Magistrate Judge submitted a report ([ECF No. 21](#)) recommending that the Court reverse the Commissioner's decision and remand the case for redetermination and explanation of the ALJ's pain analysis and credibility determination. Defendant Commissioner of Social Security Administration responded that it "will not be objecting to this Honorable Court's Report and Recommendation Decision." [ECF No. 22](#).

[Fed. R. Civ. P. 72\(b\)\(2\)](#) provides that the parties may object to a Report and Recommendation within fourteen (14) days after service. No objections have been filed within the 14-day period and the nonprevailing party has affirmatively informed the Court of its

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decision not to file an objection. Any further review by this Court would be a duplicative and an inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984); Howard v. Sec'y of Health and Human Servs., 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the Report & Recommendation of the Magistrate Judge is hereby adopted. The decision of the Commissioner of Social Security is reversed and the case is remanded to the Commissioner for further proceedings to include a redetermination and explanation of the ALJ's pain analysis and credibility determination, in addition to any other record development the ALJ deems appropriate ECF No. 21 .

IT IS SO ORDERED.

August 23, 2011

Date

/s/ Benita Y. Pearson

Benita Y. Pearson

United States District Judge